

Search Warrant	Issued	DATE	INITIAL/NO.	III. MAGISTRATE		INITIAL/NO.	OUTCOME
	Return			INITIAL APPEARANCE DATE ►			
Summons	Issued	PRELIMINARY EXAMINATION		Date	HELD FOR GJ OR OTHER PRO- CEDING IN THIS DISTRICT		
	Served	OR REMOVAL		Scheduled	<input type="checkbox"/>		
Arrest Warrant Issued		<input type="checkbox"/> HEARING		Date Held	<input type="checkbox"/>		
COMPLAINT ►		<input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED		Tape Number			
Date of Arrest		OFFENSE (In Complaint)					

(Show last names and suffix numbers of other defendants on same indictment/information

RULE In

ATTORNEYS
U.S. Attorney or Asst.

Tom O'Rourke

Defense: 1 GJA, 2 Ret., 3 Waived, 4 Self, 5 Non-J Other, 6 PD, 7 CD

E. Alexander DeSalvo w/p
50 So. Steele St. z/l 187
Denver, CO 80209
321-2900

BAIL • RELEASE	
PRE-INDICTMENT	
Release Date	
Bail	
<input type="checkbox"/> Denied	<input type="checkbox"/> Fugitive
AMOUNT SET	
\$	
Conditions:	
Date Set	<input type="checkbox"/> Pers. Rec.
<input type="checkbox"/> Bail Not Made	<input type="checkbox"/> PSA
Date Bond Made	<input type="checkbox"/> Conditions:
	<input type="checkbox"/> 10% Dep.
	<input type="checkbox"/> Surety Bind.
	<input type="checkbox"/> Collateral
	<input type="checkbox"/> 3rd Ptry
	<input type="checkbox"/> Other
POST-INDICTMENT	
Release Date	
Bail	
<input type="checkbox"/> Denied	<input type="checkbox"/> Fugitive
AMOUNT SET	
\$	
Conditions:	
Date Set	<input type="checkbox"/> Pers. Rec.
<input type="checkbox"/> Bail Not Made	<input type="checkbox"/> PSA
Date Bond Made	<input type="checkbox"/> Conditions:
	<input type="checkbox"/> 10% Dep.
	<input type="checkbox"/> Surety Bind.
	<input type="checkbox"/> Collateral
	<input type="checkbox"/> 3rd Ptry
	<input type="checkbox"/> Other
APPEALS FEE PAYMENTS	

86 - CR - 354

U.S. DISTRICT COURT
February 2, 1987

07 FEB 6 P2: 10

Mr. E. Alexander De Salvo
Attorney at Law
50 E. Steele Street, Ste. 1000
Denver, CO 80209

DAVID E. GUMAER CLERK
BY DA C.R. GLK.

Dear Mr. De Salvo:

Due to the fact that I simply have not been able to raise the fee of \$12,000 you have requested to defend me in my upcoming trial there in Denver, or the \$30,000 requested by Bill Loftus and his fellow attorney here in Phoenix, please be advised that I will be making application for the services of the Federal Public Defender there in Colorado.

As such, you have my consent to withdraw on my behalf from the case pending against me in the District of Colorado. Due to a complete lack of funds, I am unable to further retain either your services or Arizona counsel to help me prove that I am innocent of the charges and that I was set-up and entrapped by government agents.

I sincerely hope that you have not been inconvenienced up to this point and I appreciate what work you did do in my behalf.

Thank you for your consideration in this matter.

Sincerely,


David E. Gumaer
2246 W. Earll Drive
Phoenix, AZ 85015

United States District Court

DISTRICT OF COLORADO

UNITED STATES OF AMERICA
V.

WARRANT FOR ARREST

DAVID GUMAER

CASE NUMBER: 86-CR-354

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest DAVID GUMAER

Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

Judge Zita L. Weinshienk

Indictment Information Complaint Order of court Violation Notice Probation Violation Petition

charging him or her with (brief description of offense)

Failure to appear at hearing before Zita L. Weinshienk, Judge, U.S. District Court on Thursday, February 12, 1987 at 9:30 a.m., as notified after arraignment on a charge of illegal transfer of firearms,

in violation of Title 26 United States Code, Section(s) 5861(e) and 18 U.S.C. § 2

JAMES R. MANSPEAKER

Name of Issuing Officer

P. Cordova

Signature of Issuing Officer

Clerk, U.S. District Court

Title of Issuing Officer

February 12, 1987 Denver, Colorado

Date and Location

RETURNED UNEXECUTED

PER DismissalON 2-10-97BY Shawn Buck

Name of Judicial Officer

Bail fixed at \$ 81 CLERK

by

JAMES R. MANSPEAKER CLERK

RETURN

This warrant was received and executed with the arrest of the above-named defendant at _____

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

RECEIVED
FEB 13 2 57 PM '87
DISTRICT OF
COLORADO

United States District Court

DISTRICT OF COLORADO

UNITED STATES OF AMERICA
V.

DAVID GUMAER
and STEVEN CHRISTENSEN

CRIMINAL COMPLAINT

CASE NUMBER: *86-957m*

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about October 6, 1985 in Larimer county, in the State and District of COLORADO defendant(s) did, (Track Statutory Language of Offense)

knowingly and unlawfully transfer firearms as defined by Section 5845(a), Title 26, United States Code, to wit: eight Action Arms Uzi model B, 9mm machineguns with the following serial numbers: (1) SA39588, (2) SA39594,

(See Attachment #1 attached hereto and herein incorporated by reference)

In violation of Title 26 United States Code, Section(s) 5861(e).
Title 18, United States Code, Section 2.

I further state that I am a(n) ATF Special Agent Official Title and that this complaint is based on the following

facts:

I am Special Agent Samuel N. Evans of the Bureau of Alcohol, Tobacco and Firearms (AFT). I currently am assigned to the Phoenix, Arizona office of ATF.

On September 19, 1985, I was contacted by Special Agent Darwin B. Green of the Federal Bureau of Investigation, Phoenix, Arizona. Agent Green advised me that David E. Gumaer of Phoenix, Arizona, had offered to sell a

(See Attachment #2 attached hereto and herein incorporated by reference)

Continued on the attached sheet and made a part hereof:

Yes No



Signature of Complainant

Sworn to before me and subscribed in my presence,

DEC 12 1986

Date

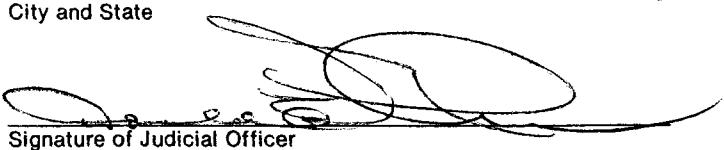
Donald E. Abram

UNITED STATES MAGISTRATE

Name & Title of Judicial Officer

Denver, Colorado

at City and State



Signature of Judicial Officer

ATTACHMENT #1

(3) SA39595, (4) SA39593, (5) SA39587, (6) SA 39590, (7) SA39586 and (8) SA39589, in violation of the provisions of Chapter 53, Title 26, United States Code, in that they did transfer such firearms without first obtaining an approved application form as required by Section 5812(a)(6), Title 26, United States Code, showing approval of such transfer and the registration of the firearms to the transferee.

ATTACHMENT #2

full automatic Uzi machinegun to Billie E. Sivils, who was assisting Agent Green with his investigation. Agent Green asked me to assist in this investigation and, on the above date, I briefed Billie Sivils on how to determine the difference between an Uzi semiautomatic rifle and an Uzi rifle that had been converted to fire fully automatic.

On the above date, I observed Billie Sivils as he met with David Gumaer in Phoenix, Arizona. After this meeting, I again met with Agent Green and Billie Sivils; at which time, Sivils explained that Gumaer had shown him an Uzi, 9mm, semiautomatic rifle. Sivils also related that Gumaer had claimed this firearm actually belonged to Gumaer's employer.

Sivils also told Agent Green and me that Gumaer claimed to have a source for eight machineguns in Colorado, and that Gumaer agreed to accompany Sivils to Colorado in order to purchase these machineguns for \$4500. Arrangements were made to introduce me, acting in an undercover capacity, to Gumaer on September 26, 1985.

On September 26, 1985, Special Agent Jay Lanning, Bureau of Alcohol, Tobacco and Firearms, Santa Ana, California, flew me via agency aircraft to the Scottsdale Airport, Scottsdale, Arizona. Once at the airport, Billie Sivils introduced me to David Gumaer. Shortly after this introduction, Sivils, Gumaer and I went to the restaurant of a motel that was adjacent to the Scottsdale Airport. Once we were seated in the restaurant, Gumaer gave me a packet of information concerning investment information and showed me samples of gold coins. I told Gumaer that I represented a group of well-to-do, conservative businessmen from Texas and that I would pass along the information he had given me concerning investments. While I was seated with Gumaer, I told Billie Sivils that I wanted him to acquire military type weapons and armament on my behalf. I also told Sivils this weaponry was going to be utilized to protect my employer's business interests along the Texas-Mexican border and in Central America.

Prior to concluding this conversation, Gumaer told me that he also had connections for acquiring the type of material I had requested of Sivils. I indicated that this would be of interest to me.

On about October 3, 1985, Agent Green contacted me and related that Sivils had been in contact with Gumaer and arrangements had been made for Sivils and me to fly Gumaer to Colorado to purchase the eight machineguns.

Lanning ~~sue~~

On October 6, 1985, Agent Lanning and I flew into the Scottsdale Airport and picked up David Gumaer in the ATF aircraft. We then flew directly to Flagstaff, Arizona, where we picked up Billie Sivils. From Flagstaff, we flew to Fort Collins, Colorado, refueling enroute at Colorado Springs, Colorado.

Agent Lanning landed the ATF aircraft at the Downtown Fort Collins Airpark, shortly after 12:00 noon, on October 6, 1985. Once we were on the ground, I observed David Gumaer go directly into a terminal building adjacent to the airstrip. A few minutes later, Billie Sivils and I went into the same building that Gumaer had just entered. After ~~were~~ ^{Sue} were inside, Gumaer told us his contact was coming to our location in about ten minutes in order to confer with Gumaer. After Gumaer conferred with Billie Sivils and me for several more moments, he stepped outside of the terminal building. Not long after this, I heard Billie Sivils describe a person who was driving onto the parking lot in a green Toyota, and Sivils said that Gumaer was approaching this person.

After a few minutes, Gumaer returned to the terminal and spoke to Sivils again. After which, he left the terminal once more. Billie Sivils told me that he had told Gumaer that he, Sivils, would have to examine the firearms.

After another few moments had passed, Gumaer returned to our location and conversed with Billie Sivils further. Sivils and Gumaer walked around the corner of the building out of my line of sight. After a short time, I heard Billie Sivils call to me, using my undercover name, and I joined him, David Gumaer, and a third person on the parking lot. We gathered around the rear of the green Toyota with Colorado license plates, as Billie Sivils began examining firearms that were in cardboard boxes in the open trunk of the Toyota.

The third party who was with Gumaer at the rear of this vehicle was a white male who appeared to be in his late thirties, and I noted that he was wearing a belt buckle with the name "Steve" spelled out across the front.

As Billie Sivils and I began examining these firearms, "Steve" suggested that we take the firearms to the aircraft and complete our examination. I told him that we weren't going to pay for the firearms until we had tested each. He indicated that this was suitable to him. Billie Sivils and I then carried two cardboard boxes to the ATF aircraft where we examined each firearm. I found that each of these contained the parts that were consistent with Uzi, 9mm rifles that had been converted to fire full automatic. I also field tested these weapons and it appeared that each would operate in the full auto mode of operation.

After we examined these firearms, Billie Sivils and I returned to the green Toyota at the terminal parking lot, where I saw Sivils give "Steve" an envelope containing cash money. "Steve" then seated himself in the vehicle and proceeded to count the money. After counting the money, "Steve" got out of his car and indicated that he was satisfied. The license plate on the Toyota was LX8033.

Lanning, Gumaer, Sivils and I then returned to Arizona in the ATF aircraft.

The eight Uzi, 9mm, model B, machineguns have the following serial numbers: SA39588, SA39594, SA39595, SA39593, SA39587, SA39590, SA39586 and SA39589.

On October 7, 1985, I contacted the ATF office in Denver, Colorado. An ATF agent in Denver informed me that Colorado license LX8033 was a 1972 Toyota listed to a Susan Christensen, 1755 Yucca Court, Fort Collins, Colorado. I was also told that Colorado driver's license authorities had furnished information of a Steven Christensen, 1755 Yucca Court, Fort Collins, holding a Colorado driver's license. The ATF Office, Denver, forwarded a certified copy of Colorado Driver's License number E268336 for Steven David Christensen, white male, date of birth 07-08-44, 1755 Yucca Court, Fort Collins, Colorado. Upon viewing the driver's license photograph, I determined that this was the same individual who sold me the eight machineguns on October 6, 1985, at the Fort Collins airport.

Also on October 7, 1985, I test fired each of the above firearms and found each one would fire fully automatic.

On October 9, 1985, I contacted Denise Brown of the National Firearms Registration and Transfer Records Branch of ATF, Washington, D.C., and requested that each of the eight firearms and Steven Christensen, date of birth 07-08-44, be queried for any record. I was informed that no record existed for the firearms or Christensen.

I also initiated a trace of these firearms with ATF National Tracing Center in Washington, D.C. I, in turn, received information that these firearms had been received by Big Iron Sporting Goods, Fort Collins, Colorado, on August 16, 1983. Big Iron Sporting Goods is a federally licensed firearms dealer.

I, Steven David Christensen, state that I reside at 1755 Yucca Court in Fort Collins, Colorado. I have lived in Fort Collins for twelve years.

I am currently self employed as a marketing representative for United States Consumers Club.

From August of 1982 until November of 1986, with the exception of 90 days, I was employed by Western Monetary Consultants in Fort Collins. While I was employed at Western Monetary I was acquainted with a fellow consultant by the name of Roger Hughes, who also resided in Fort Collins. I believe that Roger was already working at Western when I was employed.

In about early 1984 Roger approached me and asked if I wanted to invest some money that I could

I have read the foregoing statement consisting of 7 pages, each of which I have signed. I fully understand this statement and I declare, certify, verify and/or state under penalty of perjury that the foregoing is true and correct. I made the corrections shown and placed my initials opposite each. I made this statement freely and voluntarily without any threats or rewards, or promises of reward having been made to me in return for it. Executed on Dec. 15, 1986

SIGNATURE OF AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS

DAY OF December, 15th ¹⁹86
AT Fort Collins, Colorado

SIGNATURE

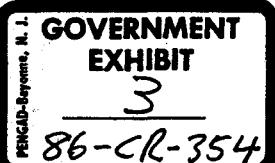
TITLE Special Agent - ATF

ATFF 5000.1 (12-83)

WITNESS

SIGNATURE

TITLE Special Agent ATF



double in a short time. When I asked him what this involved he wouldn't tell me. I then asked him if this was illegal and he told me not to worry. Roger said I would get my money back plus some. I discussed this with Roger several times over about a two week period. Roger wanted \$6000.00 for the investment. After this I decided to supply Roger with the money and I took out a loan for the full amount. Roger told me that he was supplying a like amount of money.

About two or three months after I gave Roger the money I found out that my employer was considering letting Roger go. After I found this out I told Roger I wanted my money back. He told me that he didn't have the money. I told him that I wanted whatever items he had acquired to cover

SIGNATURE OF AFFIANT

Sam S. Bentum

DATE

12-15-86

my part of the investment. Roger told me the items were in his basement and that he would give them to me. A few days later Roger approached me at work asked me to come to the parking lot. When I got to the parking lot Roger showed me two cardboard boxes containing guns. Roger told me the guns were Uzis. I noted that the guns were all in pieces. Roger told me that these guns had been altered. When I asked him what this meant he said that these guns were illegal in that they were no longer semi-automatics. I was very upset with Roger and told him I didn't like him giving me illegal items. Roger told me that he was still working on ~~som~~ finding a buyer for the weapons. I took the firearms from Roger to my home and hid them.

SIGNATURE OF AFFIANT



DATE

12-15-86

After I got these firearms from Roger I didn't see him for several months.

In about November of 1984 I left my job with Western Monetary in Fort Collins and relocated to Phoenix, Arizona. In Phoenix I worked for American Federal.

While with American Federal I became acquainted with a salesman named Dave Gumaer. Over a period of time I told Gumaer about the above firearms. Around Christmas of 1984 Gumaer asked if I could bring the firearms to Phoenix on my way back from visiting Fort Collins. I took the firearms back to Phoenix with me but never showed them to Gumaer. He had indicated that he could help me ~~get rid of~~ ^{get rid of} the guns but nothing ever came of it.

When I left the employ of American Federal in Phoenix I took the guns back to my

SIGNATURE OF AFFIANT



DATE

12-15-86

home in Fort Collins. I returned to Fort Collins and my job at Western Monetary in late February of 1985.

Several months later, I believe in the fall, I was contacted by Dave Gumaer, via telephone.

He told ^{me} that he had persons who would be interested in buying the Uzis. I told him that there were nine of the firearms. He told me that he wanted one of the firearms as a finders fee and his associates would take the remaining eight. We talked about this maybe twice before Gumaer told me that he was flying up to Fort Collins to pickup the guns.

When Gumaer arrived he phoned me at home and told me he was at the Fort Collins airport. I then drove my car with guns in the trunk to the Fort Collins airport where I met Gumaer.

I told Gumaer that I was scared

SIGNATURE OF AFFIANT



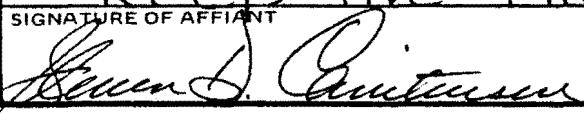
DATE

12-15-86

and asked if he could transfer the Uzis to the other people. He said that everything would be alright and that we could just go ahead with the exchange. After this Gumaer and I were approached by two of Gumaer's associates who began examining the firearms. Shortly after this these other two individuals took the boxes containing the guns to an airplane. When these two returned to the car one of them gave me a packet of money. I was nervous at this point so I sat down in the car and pretended to count the money. After this I told them everything was okay.

Gumaer had suggested the price of \$4500.00 for the firearms. Gumaer did not take possession of the firearm he wanted as a finders fee. He asked me to keep the firearm and he would

SIGNATURE OF AFFIANT



DATE

12-15-86

DEPARTMENT OF THE TREASURY - BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
AFFIDAVIT
(CONTINUATION SHEET)

PAGE 7 OF 7 PAGES

Pick it up sometime in the future.
This firearm is still in my garage. I have voluntarily agreed to abandon this firearm to Agents Evans and Gilbert of the Bureau of Alcohol, Tobacco, and Firearms.

On Thursday or Friday of last week I was back in Phoenix for business and saw Gumaer. He asked if I still had the gun.

I affirmed that I did.

About October of this year Roger Hughes ~~had~~ called me via phone and asked if I had ~~disposed of the gun~~. I told him that I had gotten rid of the firearms. Roger told me he was selling cars in Dallas, Texas.

SIGNATURE OF AFFIANT



DATE

12-15-86

AFFIDAVIT OF EXISTING WARRANT

Arrested: 12/15/86

NO. 86-5480M

I HEREBY CERTIFY that I have reliable information a warrant has been issued for the arrest of: DAVID E. GUMAER

on a: 1. COMPLAINT signed by Samuel N. Evans
of Denver before U.S. Magistrate Sherman
of Denver in the District of
Colorado on 12/12/86
2. GRAND JURY INDICTMENT returned on 98. at
in the District of

Charging that on or about October 5, 1985 at _____

in the District of Colorado the said: 26
DAVID GUMAER, in violation of Title(s) 18,
Section(s) 5861(e) 2, U.S.C. did: Illegal transfer of firearms,
aiding and abetting

My information consists of DEX from ATF.

WITNESS my signature at Phoenix, Arizona this 15th day of December, 1986

Carol A. Baker

NAME

Special Agent

TITLE

Above affidavit with defendant presented to me at Phoenix, Arizona, this 15th day of December, 19 86.

Morton Silver
UNITED STATES MAGISTRATE
DISTRICT OF COLORADO
CLERK OF COURT
DEP. CLERK
RECEIVERSPEAKER
A.D. 42

Papers in this case wired for: _____

Recommended bail \$ _____

COURTRAN

FEDERAL BUREAU OF INVESTIGATION

6/26/85

Date of transcription _____

On May 10, 1985, at approximately 1:09 p.m., the confidential source met with TOM HOOVER in the source's vehicle. The following is a transcript of the meeting:

CR 86-338

CASE NR	EX Nr
_____	1
Marked for Identification	
Admitted	
By	
Courtroom Deputy	

Investigation on 5/10/85 at Flagstaff, Arizona File # PX 100A-8715

by SA DARWIN B. GREEN/dlm Date dictated 5/10/85

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

FBI/DOJ

HOOVER: And, uh, but I have no desire to initiate any kind of, uh...

SOURCE: Like Shiite Moslem or something.

HOOVER: Yeah, fuck that. You know? I don't want to initiate something that's going to end up getting people killed. I don't want to kill anybody, you know. And I certainly don't want any of our people to get killed. I have no desire for, you know, when we talk about using a team to go in and crack one of these buildings with a computer in it, you know, the people that respond to that are going to shoot at it. You know? And some of the fellows are pretty good shots. You know?

SOURCE: Yeah, they can't take a joke for nothing.

HOOVER: Yeah, they (inaudible) taking a joke, you know. They wouldn't consider it funny.

SOURCE: That's right

HOOVER: If you could do it somehow and garbage the thing out where nobody got hurt, you know, then they'd sit back and chortle about it and say snarf they outsmarted us on that. But once you get out there and start making things go bang, you know, then they get all excited.

SOURCE: Yep.

HOOVER: You know? And these fuckers are going to propagandize so bad they're on that, I mean know they're on the ragged edge of it.

SOURCE: Yep.

HOOVER: Literally they drive around fuckin' paranoid, you know. Either they're paranoid or they're driving around looking for somebody to shoot.

SOURCE: Yep

HOOVER: But either way, you know, that ain't no good. I don't need that kind of crap. My plan would be to... (C. H. H. H. H.)
(Not pertinent.)

HOOVER: You know when, uh, Jarrett talks now he's, his thoughts are founded on just good common sense

SOURCE: Yeah.

HOOVER: You know? This sitting around shooting the shit, you know, that's wasting my time.

SOURCE: It's for the birds.

HOOVER: You know, it's wasting my time

SOURCE: Yeah. That's why I was trying to get something going last night.

HOOVER: In your effort to get something going, you shortstopped me.

SOURCE: (laughs)

HOOVER: But I felt the same way

SOURCE: Yeah

HOOVER: I can see where you're coming from too. I felt the same way. Look all this fuckin' Star Wars shit is neat and fun, but back it up with a little bit of the old-fashioned shit that works.

SOURCE: Yep

HOOVER: You know?

SOURCE: I don't know about Mr. Gumaer

HOOVER: Well...

SOURCE: What's your idea?

HOOVER: I don't know him that well. And I take him as a gadfly if you want the truth. You know, he's picking up rumors in his, within the business of metals, you know. And people that deal in metals. And particularly those that deal in international metals. They get to hear some neat fuckin' rumors.

SOURCE:

HOOVER: I don't have any foundations. Okay?

SOURCE: Yeah.

two & three point people.

HOOVER: I like (inaudible). And I like, you know, I like sources that I can check. The big problem is about 90 percent of what you hear, see or have to do with, you know, about 90 percent of it is (inaudible) bullshit.

SOURCE:

HOOVER: And just, you know, you're sitting there trying to sort that out. And I've seen so much of it in the Patriot movement. I'm a little bit reluctant to take a hell of a lot of it serious.

SOURCE: Well, that's right, you know. I'm just getting so shit, I don't believe half of what I see and nothing hardly I hear.

HOOVER: Well, I'll tell you what. I'd like you to have Hardin do one for me. I had him run his jaw here the other day. He said he's got a man on the inside in the IRS up in Ogden.

SOURCE: Supposedly that Gumaer does

HOOVER: Oh yeah. Well, this is all fuckin' fine and good

SOURCE: But Gumaer never comes through with nothing. I asked him again last night about the...He's supposed to get contact for weapons and stuff and what he told me against last night, oh well the guy hasn't, I haven't contacted him. That's three months now.

Hoover : Do you know what I want? Well if Gumaer has the contact with the IRS, (Not pertinent.) If he ain't showin' good on that... What are you going to do if the train comes? (tells him to cross the tracks).

HOOVER: Again, you know, I encourage you to have everybody set up by cells. Because we don't all need to know each other. It's nice and there's comradery there, you know, but what...

SOURCE: Visual support. We don't need that.

HOOVER: We're not, you know, we're not going to ever get to be a field army like you put a field army out.

SOURCE: And like Ty was talking about last night. You know, having companies of this and doing this.

HOOVER: Bullshit.

SOURCE: Yeah, shit, I told him, I said hey, you know, this...

HOOVER: Yeah, forget it. I don't, I don't even like the idea of one centrally located supply point. I'd like to see it scattered out in caches.

SOURCE: All over.

HOOVER: You know. So you can go from cache to cache looking for it. You can do your own scan and sweep. And your own checking to see who's there and what's there.

SOURCE: Yep.

HOOVER: I want to see things go that way.

SOURCE: Okay, and last night Ty was talking about, you know, he had ten guys in Prescott and he was training them. That's a bunch of bullshit.

HOOVER: Well, wait a minute. I, I, I wouldn't, well, what the hell. I teach my people, but I teach them just by, just by oral discussions.

SOURCE: Yeah.

HOOVER: You know. So that's just, you know, that's just teaching or enlightening them.

SOURCE: Uh huh

HOOVER: I don't call that really training them. Training requires field activity.

SOURCE: That's what he told me he was doing. He was training them. He was doing all this. And we're not. You know, we're not. And some of the stuff he told last night I know is not the truth.
~~It doesn't do any good for us to lie to each other, the first-liners don't have a chance.~~
~~(Not pertinent.)~~

Hoover: ~~It doesn't do any good for us to lie to each other, the first-liners don't have a chance.~~
Sivils:
HOOVER: I'm serious about what I'm doing. And I'm serious about getting things done. I, I want to go at it in a reasonable, logical, common sense fashion. But pure and simply, I want to stop them bastards.

SOURCE: That's right

HOOVER: I want to throw a wrench into their machinery. And if I can garbage out those fuckin' computer centers I want to do it.

SOURCE: Yep.

HOOVER: And it's easier for me to send out two or three man teams. If I put a three man team on each

building and take it out, then that's much more handier to me than is, uh, to, uh, put together a ten to fifteen man (not pertinent), put a ten to fifteen man team together, uh, to take out that building. And if you're going to go in there with, you know, your, your regular old run of the mill, uh, basic, uh, GI assault on the building to garbage out that computer, you're going to need fourteen men to do it.

SOURCE: Oh shit.

HOOVER: And you're going to need, you're going to need some exotic shit to get that door open.

SOURCE: That's it.

HOOVER: And, you know, we, we talk about different ways of doing that. Well, I'm aware of what the fuck a breeching charge is and I know you come down through the roof or you come through the wall or you go through the door. But I'm also aware of the different ways that it's done. If I set off a cratering charge on the roof, kick a whole in the roof, that's going to wake up every swinging dick in a four-mile fuckin' radius.

SOURCE: That's it. There are going to be more cops there...

HOOVER: I can open the fuckin' door with that door popper and only the people within a block will hear it.

SOURCE: Yeah.

HOOVER: You know, that'll pop the door open. But what have we got inside the building for guards. You know? Who are they? Can I take them out with, with some kind of chemical warfare agent that's going to put them to sleep. You know, can I mace the suckers? Can I zap them? You know, can I hit them with an electric jolt, one of them little

flashlights that throws the darts. You know? If I can take him down with that, I don't want to kill him. But I'm damn sure not going to risk the, the safety and the integrity of the team.

SOURCE: That's right.

HOOVER: And I don't want to go in there with that kind of a thing if I can go in there and just take the thing out. And I, like I like this Star Wars concept and go in through the wires as it were and garbage the damn thing out. I know it can be done.

? Through the wires?

HOOVER: Yeah.

? Electrical wires?

HOOVER: Yeah. Yeah. Okay, I give you an idea of the concept. Okay? You know these little, uh, uh, uh, uh, intercoms you plug it in the wall and take one to your neighbor's and plug it in his wall and then you can talk back and forth. How's that work? How in the hell does that thing work?

? Does it go through the electrical wiring?

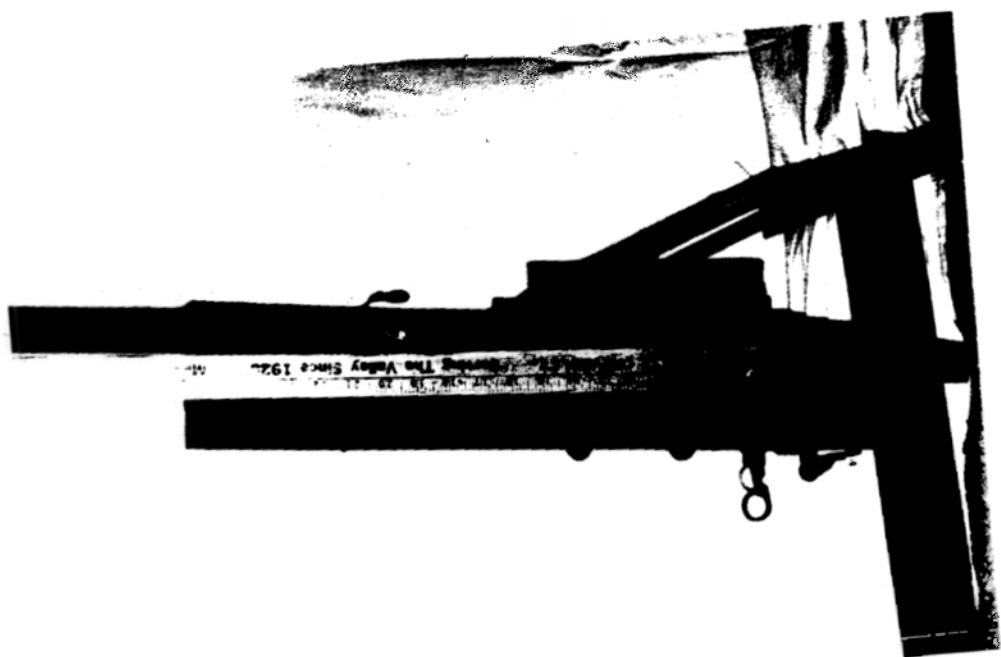
HOOVER: Yes. The power, power supply wire.

? It's not through the air?

HOOVER: No.

? No.

HOOVER: No, it goes down through the power supply wire. It sends, it sends a pulse signal down that power supply wire. And this thing screams out, you know...Let's go inside and we'll talk about it.



SOURCE: I got to run.

HOOVER: You got to flee, huh?

SOURCE: I'll come back after awhile.

HOOVER: Okay.

SOURCE: If she hasn't got something planned for me. I haven't been home for two days, so I don't know what...
Sivils talks about building a cannon
(Not pertinent.)

HOOVER: Tell Ty that if he wants to, if he wants to prove something besides mouth, get me a goddamn blueprint of that building. Get me a blueprint of that building. If he's got a guy on the inside, he can get a hand-sketched floor plan of the building.

SOURCE: Do it.

HOOVER: Do it.

SOURCE: That's it. That's the stage I'm at right now.

HOOVER: Well, just, just tell him...You know, now you don't have to tell him what we talked about...

SOURCE: Oh no, oh no, oh no.

HOOVER: That shit can stay completely underground.

SOURCE: That's it, that's it.

HOOVER: And we'll get ahold of Hawk and take care of it from there. But you tell Ty that if he's got a guy inside I want a fuckin' blueprint of that building. And the guy can handsketch it. I don't give a rat's ass about that. I need to know what the walls are made of, approximate thickness of

it, where the power supply comes in, and I need the fuckin' floor plan.

- SOURCE: Yep.
- HOOVER: Okay? And we can pick it from there. All I want to do is see what he's got.
- SOURCE: Yeah.
- HOOVER: I want to see what kind of feedback I get. I want to see what kind of...If I get something besides bullshit, I think I'll be pretty amazed.
- SOURCE: Yeah, well what it is it's Gumaer's man
- HOOVER: Well, let's exercise that, that part of...
- SOURCE: I'll ask him.
- HOOVER: See if it works. And tell him, tell him we need it desperately. We've got two weeks. We got a two week time frame to meet other commitments, which we're not going to share with you because of the secrecy required. And tell him flat out we've got a fuckin' leak in the organization.
- SOURCE: That's right.
- HOOVER: And, and, and see if he can produce that fuckin' floor plan. If he can't, as far as I'm concerned he's all fuckin' mouth and no action.
- SOURCE: That's it.
- HOOVER: And we'll go from there. You know? But I don't give a rat's ass if I get it, Bill. I'll get that fucker anyway.
- SOURCE: That's it. That's the way I look at it.
- HOOVER: We'll go on our other activity. And, uh, see if

PX 100A-8715
DBG/dlm

11

[
we can't come up with something nifty, fun and wonderful with that. Give me a good excuse to go to Salt Lake anyway. I got a kid up there that needs my attention.

(Not pertinent.)

SOURCE: Okay, it is 1:29 p.m., 5/10/85. That was Tom Hoover. I was down at the telephone office. He came in. He wanted to go for a ride. So I gave him a ride back to the, uh, Arizona Freedom League on North Center in Flagstaff. Uh, we left there about 1:09 p.m.

END OF TRANSCRIPT.

In re: United States v. STEVEN CHRISTENSEN

Criminal Case No. 86-CR-354

Statute: 18 U.S.C. § 922(a)(5)

Penalty: NMT \$5,000 (or \$250,000
alternative fine),
NMT five years or both,
and \$50 special assessment

AUSA: Thomas M. O'Rourke

Plea Agreement: The defendant has agreed to waive
indictment and plead guilty to an
information charging a violation
of 18 U.S.C. § 922(a)(5) and to
cooperate with the government in
its investigation of this case.
The government has agreed to
dismiss the indictment as it
relates to Mr. Christensen at the
time of sentencing.

PROSECUTOR'S STATEMENT

The evidence would have established the following:

In September 1985, in Phoenix, Arizona, David Gumaer
told Billie Sivils that he had a source in Colorado who could
provide eight machineguns for \$4,500.

Sivils was acting at that time as a confidential
informant for the Federal Bureau of Investigation and the
Bureau of Alcohol, Tobacco and Firearms.

On October 6, 1985, Mr. Sivils, Mr. Gumaer and two
undercover ATF agents flew in an ATF airplane from Arizona to
an airport in Fort Collins, Colorado for the purpose of
buying the weapons. Shortly after their arrival at the
airport, Steven Christensen arrived by automobile.
Mr. Sivils, Mr. Gumaer and one of the agents went to
Mr. Christensen's car. There were eight firearms in the
trunk of the vehicle.

The agent and Mr. Sivils carried the weapons to the
airplane, and Mr. Sivils then paid Mr. Christensen \$4,500.
The agents, Mr. Sivils and Mr. Gumaer then flew back to
Arizona with the weapons.

The weapons were Uzi, 9mm model B machineguns with the serial numbers SA39586, SA39587, SA39588, SA39589, SA39590, SA39593, SA39594, and SA39595. Each weapon had been modified so that it was capable of being fired in the automatic mode; that is, it could shoot automatically, without manual reloading, more than one shot by a single function of the trigger.

At the time of the transfer of these weapons, neither Mr. Christensen nor the persons to whom he delivered them was a licensed firearms importer, manufacturer, dealer or collector. Mr. Christensen, who was a Colorado resident, also knew or had reason to believe that the agent and Mr. Sivils were residents of another state. He knew that Mr. Gumaer was an Arizona resident and had flown into Fort Collins with the other men from Arizona.

On December 15, 1986, Mr. Christensen told two ATF agents that he had received the weapons from Roger Hughes in mid-1984. He said Mr. Hughes told him at that time that the weapons had been converted and consequently they were illegal.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

COURT
COLORADO

Criminal Case No. 80-CR-354 26 DEC 16 PM : 12

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID GUMAER and
STEVEN CHRISTENSEN,

MAN SPEAKER
CLERK

MR. CLK.

The Grand Jury charges that:

COUNT I

The foregoing was in violation of Title 26, United States Code, Section 5861(e), and Title 18, United States Code, Section 2.

COUNT II

On or about October 6, 1985, in the State and District of Colorado, DAVID GUMAER and STEVEN CHRISTENSEN knowingly transferred a firearm as defined by Title 26, United States Code, Section 5845(a), to wit: an Uzi model B, 9mm machinegun, serial number SA39587, in violation of the provisions of Chapter 53, Title 26, United States Code, in

that GUMAER and CHRISTENSEN transferred such firearm without first obtaining an approved application form as required by Title 26, United States Code, Section 5812(a)(6), showing the approval of such transfer and the registration of the firearm to the transferee.

The foregoing was in violation of Title 26, United States Code, Section 5861(e), and Title 18, United States Code, Section 2.

COUNT III

On or about October 6, 1985, in the State and District of Colorado, DAVID GUMAER and STEVEN CHRISTENSEN knowingly transferred a firearm as defined by Title 26, United States Code, Section 5845(a), to wit: an Uzi model B, 9mm machinegun, serial number SA39588, in violation of the provisions of Chapter 53, Title 26, United States Code, in that GUMAER and CHRISTENSEN transferred such firearm without first obtaining an approved application form as required by Title 26, United States Code, Section 5812(a)(6), showing the approval of such transfer and the registration of the firearm to the transferee.

The foregoing was in violation of Title 26, United States Code, Section 5861(e), and Title 18, United States Code, Section 2.

COUNT IV

On or about October 6, 1985, in the State and District of Colorado, DAVID GUMAER and STEVEN CHRISTENSEN knowingly transferred a firearm as defined by Title 26, United States Code, Section 5845(a), to wit: an Uzi model B, 9mm machinegun, serial number SA39589, in violation of the provisions of Chapter 53, Title 26, United States Code, in that GUMAER and CHRISTENSEN transferred such firearm without first obtaining an approved application form as required by Title 26, United States Code, Section 5812(a)(6), showing the approval of such transfer and the registration of the firearm to the transferee.

The foregoing was in violation of Title 26, United States Code, Section 5861(e), and Title 18, United States Code, Section 2.

COUNT V

On or about October 6, 1985, in the State and District of Colorado, DAVID GUMAER and STEVEN CHRISTENSEN knowingly transferred a firearm as defined by Title 26, United States Code, Section 5845(a), to wit: an Uzi model B, 9mm machinegun, serial number SA39590, in violation of the provisions of Chapter 53, Title 26, United States Code, in that GUMAER and CHRISTENSEN transferred such firearm without

first obtaining an approved application form as required by Title 26, United States Code, Section 5812(a)(6), showing the approval of such transfer and the registration of the firearm to the transferee.

The foregoing was in violation of Title 26, United States Code, Section 5861(e), and Title 18, United States Code, Section 2.

COUNT VI

On or about October 6, 1985, in the State and District of Colorado, DAVID GUMAER and STEVEN CHRISTENSEN knowingly transferred a firearm as defined by Title 26, United States Code, Section 5845(a), to wit: an Uzi model B, 9mm machinegun, serial number SA39593, in violation of the provisions of Chapter 53, Title 26, United States Code, in that GUMAER and CHRISTENSEN transferred such firearm without first obtaining an approved application form as required by Title 26, United States Code, Section 5812(a)(6), showing the approval of such transfer and the registration of the firearm to the transferee.

The foregoing was in violation of Title 26, United States Code, Section 5861(e), and Title 18, United States Code, Section 2.

COUNT VII

On or about October 6, 1985, in the State and District of Colorado, DAVID GUMAER and STEVEN CHRISTENSEN knowingly transferred a firearm as defined by Title 26, United States Code, Section 5845(a), to wit: an Uzi model B, 9mm machinegun, serial number SA39594, in violation of the provisions of Chapter 53, Title 26, United States Code, in that GUMAER and CHRISTENSEN transferred such firearm without first obtaining an approved application form as required by Title 26, United States Code, Section 5812(a)(6), showing the approval of such transfer and the registration of the firearm to the transferee.

The foregoing was in violation of Title 26, United States Code, Section 5861(e), and Title 18, United States Code, Section 2.

COUNT VIII

On or about October 6, 1985, in the State and District of Colorado, DAVID GUMAER and STEVEN CHRISTENSEN knowingly transferred a firearm as defined by Title 26, United States Code, Section 5845(a), to wit: an Uzi model B, 9mm machinegun, serial number SA39595, in violation of the provisions of Chapter 53, Title 26, United States Code, in that GUMAER and CHRISTENSEN transferred such firearm without first obtaining an approved application form as required by

Title 26, United States Code, Section 5812(a)(6), showing the approval of such transfer and the registration of the firearm to the transferee.

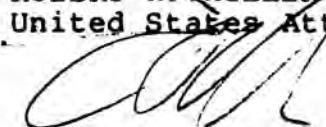
The foregoing was in violation of Title 26, United States Code, Section 5861(e), and Title 18, United States Code, Section 2.

A TRUE BILL



Warren Snyder
Foreperson

ROBERT N. MILLER
United States Attorney



By: Thomas M. O'Rourke
Assistant U.S. Attorney